

MET-2835

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Property and Casualty Insurance Company

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
(CAMDEN VICINAGE)**

CHRISTOPHER ORSATTI and
CLAIRE ORSATTI,

Plaintiffs,

v.

METROPOLITAN PROPERTY AND
CASUALTY INSURANCE COMPANY,

Defendant.

Civil Action No.

NOTICE OF REMOVAL

Defendant, Metropolitan Property and Casualty Insurance Company, hereby gives notice to the Court, pursuant to 28 U.S.C. §1446(b) of the removal of this action which has been pending in the Superior Court of New Jersey, Law Division, Camden County under Docket No.: CAM-L-4471-17 (the State Action). The removal to this Court, Camden Vicinage, is proper for the reasons set forth below:

1. Plaintiff filed a complaint against the defendant to recover uninsured motorist benefits as a result of an automobile accident in which the plaintiff was rear-ended by an uninsured motorist on May 9, 2014.

2. This is a civil action of which the United States District Court has original jurisdiction pursuant to 28 U.S.C. §1332(a)(1) (diversity).

3. This entire matter is one which may be removed to this Court by virtue of the provisions of 28 U.S.C. §1441(a) and in accordance with 28 U.S.C. §1446.

4. This court is one of proper venue pursuant to 28 U.S.C. §1391(a)(2) because Plaintiff is domiciled in the State of New Jersey.

5. This matter was originally filed in the Superior Court, Law Division, Camden County, bearing docket number CAM-L-4471-17. The Plaintiff resides in New Jersey. Defendant, MetLife Auto & Home, is a corporation with its principal place of business in Rhode Island.

6. Pursuant to 28 U.S.C. §1446(d), a copy of this Notice of Removal has been filed with the Clerk of the Superior Court of New Jersey, Law Division, Camden County and written notice given to the Plaintiff.

7. This Court has original jurisdiction pursuant to 28 U.S.C. Section 1332 and, upon information and belief, the amount in controversy exceeds seventy-five thousand dollars (\$75,000.00), exclusive of interest and costs, as the uninsured motorist policy in this matter has a \$100,000.00 limit.

8. Copies of all process, pleadings and orders served upon the Defendant by the Plaintiff is attached to this Notice of Removal as Exhibit "A".

WHEREAS, the Defendant, Metropolitan Property and Casualty Insurance Company, respectfully gives notice to this Court with the request for the removal of the State Action in the

Superior Court of New Jersey, Law Division, Camden County, to the United States
District Court of New Jersey, Camden Vicinage.

SWEENEY & SHEEHAN

By: 

Giacomo F. Gattuso, Esquire
Attorney for Defendant, Metropolitan
Property and Casualty Insurance Company

DATED: January 31, 2018